

FILE COPY

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

GREGORY B. JACKSON, M.D.

Respondent

ORDER RENEWING THE LIMITED LICENSE

By its Final Decision and Order dated November 20, 1991, the Medical Examining Board adopted the Proposed Decision of its administrative law judge and revoked the limited license previously issued to Dr. Jackson. By his letter dated October 20, 1992, Dr. Jackson requested that the board reinstate his license. The board denied the petition by its order issued November 25, 1992.

On March 21, 1993, Dr. Jackson again petitioned for reinstatement of his license. The petition was supported by John D. Stuhler, M.D., Certified Medical Review Officer with Substance Abuse Management, Inc., Oak Creek, Wisconsin. Dr. Jackson appeared before the board at its meeting of April 28, 1993, in support of his petition. The board considered the matter on that date, and denied the petition by its Order dated May 7, 1993.

Dr. Jackson renewed his petition for reinstatement in his appearance before the board on September 23, 1993. In addition to Dr. Stuhler's support, Dr. Jackson's petition was now also supported by Bill Broten, Chief Executive Officer of Substance Abuse Management Inc., a potential employer, and by Gerald C. Kempthorne, M.D., Chairman of the Physician Health Program at the State Medical Society of Wisconsin. The board considered the petition on that date, and reinstated the limited license for a period of six months by its Order dated October 1, 1993.

Pursuant to the board's Order, Dr. Jackson appeared before the board on March 24, 1994, in support of renewal of the license. The board considered the matter on that date, and renewed the license for a period of six months.

Dr. Jackson next appeared before the board on September 22, 1994, in support of further renewal of the license. The board thereafter decided to reduce the number of required urine screens from two per week to one per week, and did so by its order dated October 4, 1994.

As required, Dr. Jackson next appeared on March 23, 1995. While the current board order does not prohibit Dr. Jackson from applying for and holding a DEA registration, the DEA has taken the position that the board's January 15, 1987 order in this matter, which contained such a prohibition, still controls in the matter unless specifically rescinded by the board. Accordingly, Dr. Jackson sought the board's assistance in that regard. The board considered the matter on March 23, and orders as follows:

ORDER

NOW, THEREFORE, IT IS ORDERED that the license of Gregory B. Jackson, M.D., is hereby renewed, subject to the following terms and conditions:

1. Dr. Jackson shall continue to participate in a drug treatment program through Substance Abuse Management Inc. or another program approved by the board. As a part of his treatment program, Dr. Jackson shall engage in counseling with John D. Stuhler, M.D., or another physician satisfactory to the board, on a schedule determined by the counselor, but not less than twice per month.

2. Also as a part of the program, Dr. Jackson shall participate in random witnessed monitoring of his blood or urine for the presence of alcohol and controlled substances on at least a once-per-week basis. If the physician supervising his plan of care deems that additional blood or urine screens are warranted, Dr. Jackson shall submit to such additional screens. The monitoring facility must agree to provide random and witnessed gatherings of specimens for evaluation, must agree to maintain a custody record of all specimens, and must agree to confirm positive test results with gas chromatography or mass spectrometry. The facility must also agree to file an immediate report with the board in the event Dr. Jackson fails to appear upon request, the monitoring screen proves positive, or Dr. Jackson refuses to provide a specimen upon a request authorized under the terms of this Order. Finally, the facility must maintain a record of the time Dr. Jackson is called to provide a specimen and the time the specimen is actually provided.

3. Dr. Jackson shall abstain from any and all personal use of alcohol or controlled substances, as defined by Wis. Stats. sec. 161.01(4), unless prescribed for him by his treating physician.

4. Dr. Jackson may apply for and hold a DEA registration to permit him to prescribe and dispense controlled substances.

5. Dr. Jackson shall attend A.A. or N.A. meetings a minimum of three times each week.

6. Dr. Jackson shall be responsible for submission to the board of formal written quarterly reports prepared by his treatment supervisor setting forth Dr. Jackson's activities and

progress in the treatment program, including the results of random drug screens.

7. Dr. Jackson shall be responsible for submission of quarterly written reports from his current employer setting forth Dr. Jackson's activities and performance in his practice.

8. Dr. Jackson shall provide and keep on file with his supervising physician and all treatment facilities and personnel current releases which comply with all applicable state and federal laws authorizing release of all of his medical and treatment records and reports to the Medical Examining Board and which permit his treating physician and therapists to disclose and discuss the progress of his treatment and rehabilitation with the Medical Examining Board and its agents. Copies of said releases shall be filed simultaneously with the Medical Examining Board.

9. The term of the license shall be for six months. Dr. Jackson may apply at the end of six months for renewal of the license and shall appear before the board at that time in support of any such application.

10. Violation of any of the terms and conditions of this Order shall constitute grounds for revocation of the limited license or imposition of additional limitations as deemed appropriate by the board.

Dated this 29th day of March, 1995.

STATE OF WISCONSIN
MEDICAL EXAMINING BOARD

by W.R. Schwartz M.D.
W.R. Schwartz, M.D.
Secretary